

Message Text

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PAGE 01 STATE 230299
ORIGIN EB-08

INFO OCT-01 RA-15 ISO-00 /024 R

66011

DRAFTED BY EB:BOB FITTS

APPROVED BY EB:BFITTS

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O 112319Z SEP 78

FM SECSTATE WASHDC

TO AMEMBASSY LIMA IMMEDIATE

UNCLAS STATE 230299

FOLLOWING REPEAT GENEVA 13555 SENT ACTION SECSTATE
AND USUN NEW YORK SEP 09.

QUOTE: UNCLAS GENEVA 13555

FOR LOS DELEGATION

E.O. 11652: N/A

TAGS: PLOS, UNCTAD

SUBJECT: UNCTAD: G-77 DRAFT RESOLUTION ON DEEP SEABED
MINING

REFERENCES: (A) GENEVA 13394, (B) STATE 225526, (C) STATE
226051, (D) STATE 226056

1. THE FOLLOWING WAS DELIVERED IN THE 10TH SESSIONAL
COMMITTEE 1 MEETING AS GROUP B STATEMENT ON THE SEABEDS
RESOLUTION:

BEGIN TEXT. IT HAS BEEN AND CONTINUES TO BE THE FIRM
VIEW OF GROUP B COUNTRIES THAT SUBSTANTIVE ISSUES
RELATING TO THE LAW OF THE SEA CONFERENCE SHOULD BE LEFT
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TO THAT CONFERENCE. AS THE AMBASSADOR OF PERU POINTED
OUT, THE 7TH SESSION OF THE LAW OF THE SEA CONFERENCE HAS
RESUMED IN NEW YORK. THE UNCTAD SECRETARIAT PAPER
(TD/B/707) RIGHTLY POINTS OUT THAT AT THIS STAGE THE
OUTCOME OF THAT CONFERENCE CANNOT BE PREJUDGED. WE
SHARE THIS VIEW AND CONSIDER THAT THE MATTER RAISED IN
DRAFT RESOLUTION 12 SHOULD BE LEFT TO THE LAW OF THE SEA

CONFERENCE IN VIEW OF THE ONGOING NEGOTIATIONS IN NEW YORK. END TEXT.

2. AMBASSADOR ARIAS SCHREIBER, PERU, REPLIED THAT IT IS INACCURATE TO SAY THAT THIS ISSUE FALLS WITHIN THE SCOPE OF ONLY ONE CONFERENCE AS IT IS BASED ON AN UNGA RESOLUTION BINDING ON ALL MEMBERS. THEREFORE, IT IS OPEN FOR ANY FORUM TO OPPOSE ACTIONS TO EXPLOIT THE SEABEDS; IT WOULD BE LEGALLY VALID ONLY UNDER AN AGREED INTERNATIONAL REGIME. HE WENT ON TO ASSERT THAT THE DRAFT RESOLUTION DOES NOT REFER TO NEGOTIATIONS; IT RATHER DEALS WITH THE FACT SOME COUNTRIES ARE CONTEMPORATING ACTS OUTSIDE THE SCOPE OF THE CONFERENCE. THEREFORE THE TDB HAS THE AUTHORITY AND DUTY TO EXPRESS AN OPINION ON THE MATTER. HE CONSIDERS THE PROPOSED RESOLUTION CONCILIATORY IN THAT IT DOES NOT CONDEMN PROPOSED MINING ACTIVITY BUT, RATHER, APPEALS TO COUNTRIES TO DESIST FROM SUCH ACTIONS. HE CONCLUDED BY STATING THAT UNCTAD MUST PASS THIS RESOLUTION TO PREVENT MINING ACTIVITY AND THAT THIS DECISION CANNOT BE NEGOTIATED.

3. THE ISSUE HAS BEEN KEPT OPEN UNTIL MONDAY, AND THERE IS A POSSIBILITY THAT IT WILL BE BROUGHT TO A VOTE. IF SO, THE U.S. WILL VOTE NO, IN ACCORDANCE WITH ITS INSTRUCTIONS, DRAWING UPON AMBASSADOR RICHARDSON'S STATEMENT AS TALKING POINTS AS MAY BE REQUIRED TO EXPLAIN NEGATIVE VOTE. VANDEN HEUVEL
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UNQUOTE CHRISTOPHER

NOTE BY OC/T: ORIGINAL DISTRIBUTION - IO,EB/ISO,UNCT,LOSM,OIC,REBU,,

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